

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ELZBIETA GODLEWSKA, KRYSTYNA BIELAWSKA,
BARBARA HATALA, and BARBARA PILCH, on
behalf of themselves and all others similarly situated,

Plaintiffs,

-against-

ORDER

CV-03-3985 (DGT) (JMA)

HDA, HUMAN DEVELOPMENT ASSOCIATION, INC.,
d/b/a HDA, YECHILA GRUENWALD a/k/a YECHIEL
GRUENWALD individually and as Executive Director of
HDA, HUMAN DEVELOPMENT ASSOCIATION, INC.,
ZVI KESTENBAUM, MARINA VOSKOBOYNIKO,
GOLDA POKHIS a/k/a OLGA POKHIS, MARGARITA
ZILBERT, JANE DOE a/k/a "MRS. FRIEDMAN," and
JANE DOES 1-10 and JOHN DOE 1-10, being fictitious
names, their true identities not yet known to the Plaintiffs,

Defendants.

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APPEARANCES:

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Attorney for Defendants

AZRACK, United States Magistrate Judge:

On February 28, 2006, plaintiffs moved to amend their First Amended Complaint pursuant to Rule 15(a) and Rule 21 of the Federal Rules of Civil Procedure (Dkt No. 62: First Mot. to Am./Correct Compl. (“Motion to Amend”) (02/28/06)). By order dated March 2, 2006, the Honorable David G. Trager, United States District Judge, referred plaintiffs’ Motion to Amend to me for decision (Dkt No. 67: Order Referring Mot. (03/02/06)). In addition to other amendments, plaintiffs seek (i) to substitute defendants Jane Does with the Personnel Specialists’ real names: Eva Friedman, Irene Gadzhiyeva, Sarah Juroviesky, Ella Rashkova, Bella Slomivc, Rita Strashnov (the “proposed defendants”); (ii) to add a new claim under the theory of third-party beneficiary to a prevailing wage contract against existing and substituted defendants; (iii) to join the City of New York, New York City Human Resources Administration and the Honorable Verna Eggleston as Commission of the NYC Human Resources Administration (the “municipal defendants”) as additional defendants; and (iv) to assert claims against the Municipal Defendants under (a) the FLSA; (b) a theory of third-party beneficiary to a prevailing wage contract; and (c) 42 U.S.C. § 1983 for deprivation of plaintiffs’ rights, privileges and immunities. Pursuant to the Federal Rules of Civil Procedure 15(c), plaintiffs move for all claims contained in the Second Amended Complaint to relate back against existing and substituted parties.

Plaintiffs and proposed municipal defendants are hereby ordered to submit letter briefs of no more than seven pages, identifying the statute of limitations period for each claim in the First

Amended Complaint and for the claims plaintiffs seek to add in the Second Amended Complaint. Plaintiffs are further instructed to identify the exact date each claim began to run, as to each existing and proposed defendant, and, where appropriate, to identify the date on which the claim expired. The proposed municipal defendants are instructed to do the same for all claims relevant to them. All parties must submit their letter briefs no later than Wednesday, April 19, 2006. The Court will consider no applications for extensions of time regarding this Order.

SO ORDERED.

Dated: April 13, 2006
Brooklyn, New York

/s/
JOAN M. AZRACK
UNITED STATES MAGISTRATE JUDGE

Sent to:

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